

REMARKS

In the Official Action mailed on **17 August 2006**, the Examiner reviewed claims 1-18. Claims 2-5, 7-12, 17, and 18 were rejected under 35 U.S.C. §112, second paragraph as being indefinite. Claims 6 and 12 were rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Claims 7, 8, 12, 13, 14, and 16 were rejected under 35 U.S.C. §102(b) as being anticipated by Neeman et al (GB 2367219A, hereinafter "Neeman"). Claims 1, and 4-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Neeman, in view of Hunt et al (USPN 5,764,235, hereinafter "Hunt"), in view of Jason, Jr. (USPub US2003/0061356, hereinafter "Jason"). Claim 2 was rejected as being unpatentable over Neeman, in view of Hunt, in view of Jason, and further in view of Port 80 Software (*PORT 80 software*, December 2003, pages 1-3, hereinafter "Port80"). Claim 3 was rejected as being unpatentable over Neeman, in view of Hunt, in view of Jason, and further in view of Willes et al (USPub 2005/0120128, hereinafter "Willes"). Claims 9, 11, and 18 were rejected as being unpatentable over Neeman, in view of Port80. Claim 10 was rejected as being unpatentable over Neeman, in view of Port80 and further in view of Willes. Claim 15 was rejected as being unpatentable over Neeman, in view of Willes. Claim 17 was rejected as being unpatentable over Neeman, in view of Hunt.

Rejections under 35 U.S.C. §112, second paragraph

Claims 2-5, 7-12, 17, and 18 were rejected under 35 U.S.C. §112, second paragraph as being indefinite.

Applicant has amended claims 2-5, 7-12, 17, and 18 to correct the deficiencies noted by the Examiner. No new matter has been added. Applicant respectfully points out that the limitation of "the method" in line 11 of claim 12 (now line 3 of claim 12) has antecedent basis in the limitation "a method" in line 10 of claim 12 (now line 2 of claim 12).

Rejections under 35 U.S.C. §101

Claims 6 and 12 were rejected because the claimed invention is directed to non-statutory subject matter.

Applicant has amended claims 6 and 12 to include only tangible computer readable media. These amendments find support on page 3, line 23 to page 4, line 8.

Rejections under 35 U.S.C. §102(b) and 35 U.S.C. §103(a)

Independent claims 7, 12, and 13 were rejected as being anticipated by Neeman. Independent claims 1 and 6 were rejected as being unpatentable over Neeman, in view of Hunt, in view of Jason. Applicant respectfully points out that Neeman is directed to a system for **streaming multiple streams of data** such as audio and video to channels based upon the bandwidth of the channels (see Neeman, Abstract and page 4, lines 1-7).

In contrast, the present invention is directed to a system that **responds to requests for data from a client**, and compresses the data based upon the bandwidth capability at the client (see page 2, lines 12-18 of the instant application). This is beneficial because the system of the present invention can dynamically adjust the compression of the data requested by and sent to the client based upon real-time analysis. Note that the system of Neeman provides several streams at differing bandwidths, and allows the receiver to select a particular stream of data meeting its bandwidth requirements. However, the system of Neeman does not respond to requests for specific sets of data as does the present invention.

Hence, Applicant respectfully submits that independent claims 1, 6-7, and 12-13 as presently amended are in condition for allowance. Applicant also submits that claims 2-5, which depend upon claim 1, claims 8-11, which depend upon claim 7, and claims 14-18, which depend upon claim 13, are for the same

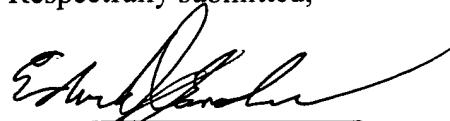
reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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